COMMITTEE ON SCIENCE
U.S. HOUSE OF REPRESENTATIVES

HEARING CHARTER

The Conflict Between Science and Security in Visa Policy: Status and Next Steps

Wednesday, February 25, 2004
9:30 a.m. - 12:00 Noon
2318 Rayburn House Office Building

1. Purpose

On Wednesday, February 25, 2004, the House Science Committee will hold a hearing to review the impact of enhanced security measures on the entry into the U.S. of foreign students and scholars. More specifically, the Committee will examine whether the new security measures have enhanced security, whether they have been unnecessarily detrimental to the U.S. scientific enterprise, and how they can be implemented more smoothly. As part of the hearing, the General Accounting Office (GAO) will release a new study, conducted at the Committee's request, on the extent of visa delays and what might be done to reduce them without compromising security.

The hearing will build on a hearing the Committee held on visa issues on March 26, 2003 and on other hearings the Committee has held over the past two years on the impact of security concerns on scientific research.

2. Witnesses

The Honorable Asa Hutchinson is the Under Secretary for Border and Transportation Security at the Department of Homeland Security (DHS). Prior to being confirmed as Under Secretary, Mr. Hutchinson served as Administrator of the Drug Enforcement Administration. Before that, he served as a Member of Congress from Arkansas from 1997-2001.

Ms. Janice Jacobs is the Assistant Secretary for the Office of Consular Affairs at the Department of State. Prior to this appointment, she served two years as Deputy Chief of Mission at the U.S. Embassy in Santo Domingo. Ms. Jacobs's 23-year foreign service career has included a mix of Washington, D.C. and overseas assignments, including the Dominican Republic, Ecuador, Egypt, Ethiopia, France, Mexico, Nigeria, and Thailand.

Mr. Jess Ford is the Director of International Affairs and Trade at the General Accounting Office (GAO). Since 1973, Mr. Ford has worked extensively in the national security and international affairs areas at GAO, with issues ranging from trade, foreign assistance, and foreign policy.

Mr. Robert Garrity, Jr. is the Deputy Assistant Director for Record/Information Administration at the Federal Bureau of Investigation (FBI). Mr. Garrity began his career with the FBI in August 1976 and he served in the Savannah, New York, and Dallas field offices. More recently, Mr. Garrity served as the FBI's Interim Records Officer at FBI headquarters, where he was charged with the responsibility of assessing the FBI's records management systems.

3. Overarching Questions

- How can the federal government implement a visa regime that protects the nation from terrorist threats without turning away the foreign students and scholars on which the U.S. scientific enterprise has long depended? Have changes in visa processes instituted since September 11th had unnecessary detrimental effects on the U.S. scientific enterprise?

- Does the U.S. collect the data needed to determine the impact of visa processes on the interest and ability of foreign students and scholars to work in the U.S.? Does the U.S. collect the data needed to determine whether visa processes are effectively screening applicants to identify potential terrorists?

- How can the visa processes for foreign students and scholars be made to work more smoothly? Specifically: How does the Administration plan to respond to the new GAO report, just completed for the Science Committee, *Improvements Needed to Reduce Time Taken to Adjudicate Visas for Science Students and Scholars*? What is the current status of the Student Exchange and Visitor Information System (SEVIS), the relatively new, automated and sometimes-troubled system run by DHS to track foreign students in the U.S.? What is the status of the Interagency Panel on Advanced Science Security (IPASS), an inter-agency committee that was supposed to screen foreign students interested in studying topics that raised security concerns?

4. Background and Current Issues

How dependent is the U.S. scientific enterprise on foreign students and scholars?

The U.S. has long been a magnet for foreign-born scientists and engineers, and many of the greatest U.S. scientific achievements have depended on them. Two classic examples are the scientists who fled the Nazis before World War II and became the leaders of the program that built the atomic bomb, and the scientists who left Germany after the war and helped form the core of the U.S. space program.

Even with a far more extensive U.S. scientific enterprise today, the U.S. depends on foreign students and scholars. In 1999, the latest year for which figures were available, foreign students received more than one-third of the doctorates awarded in the U.S., and accounted for an even higher percentage in critical scientific fields. Foreign students were awarded almost half the U.S. doctorates in engineering, 47 percent of the doctorates in mathematics and computer sciences, and 40 percent of the doctorates in the physical sciences. Of the foreign students who received doctoral degrees in the U.S, 36 percent came from China and India. Many of them remained in the U.S. after completing their studies. In 1999, 72 percent of foreign doctoral recipients planned to stay in the U.S., and half had already received firm job offers. (Statistics are from National Science Foundation, *Science and Engineering Indicators*.)

Statistics are not available for faculty, but many faculty in the physical sciences and engineering are also in the U.S. on visas. Also, foreign scholars require visas to attend scientific conferences in the U.S. where their contributions can help U.S. scientists keep abreast of the most important global developments in their fields.

What changes have taken place since the September 11th attacks that affect foreign students and scholars?

While the U.S. has benefited incalculably from being a haven for foreign students and scholars, U.S. openness also makes the nation more vulnerable to security threats. Several of the September 11th hijackers were in the U.S. on student visas (though not to study science or

engineering), and scientific know-how gained in the U.S. could later be turned against our country. With that in mind, both Congress and the Administration have made significant changes to the visa system in the past few years. Changes in visa policy and the specific ways those changes have been implemented have tended to make the visa process slower and more cumbersome. The most significant changes are described below:

New Bureaucracy

First, in the Act creating the Department of Homeland Security (DHS), Congress significantly altered the bureaucracy in charge of visas. DHS (rather than the State Department) is now in charge of establishing visa policy and reviewing its implementation. The State Department continues to implement the policy by managing consular officers, making decisions on individual visa applications and issuing the visas. The Act also abolished the Immigration and Naturalization Service (INS), which was part of the Justice Department, and replaced it with the Bureau of Immigration and Customs Enforcement (ICE), which is part of DHS. That Bureau is responsible for the student tracking system (SEVIS) and related policies. DHS began full operations last March and has since signed a Memorandum of Understanding with the State Department concerning visa processes.

Additional Security Checks

Second, visa applicants are much more likely than they were before September 11th to be subject to security checks. However, the government does not seem to have clear and consistent criteria about which visa applicants warrant a security check or how to determine whether an applicant presents a security threat. The State Department has been encouraging consular officers to err on the side of caution. By contrast, prior to September 11th, State Department visa operations focused primarily on screening applicants to determine whether they intended to work or reside illegally in the U.S. following expiration of their visas rather than on security concerns. Consular officers were encouraged to facilitate legitimate travel, and many even faced pressure to issue more visas.

The security check process for those engaged in sensitive technologies is known as Visas Mantis (Appendix I). Consular officers can request a Visa Mantis review whenever they have doubts about an individual applicant. A request for a Visa Mantis review is sent from the consulate to Washington, and then an investigation is carried out by the FBI or other relevant security agency. State Department officials in Washington review the results of the investigation and advise the consular officer on whether to grant the visa. But the ultimate decision is left up to the consular officer who originally requested the Visa Mantis review.

In deciding whether to request a Visa Mantis review, a consular officer may consider whether a visa applicant will be dealing with technologies that are on the State Department's Technology Alert List (TAL). The TAL includes technologies with potential "dual-use" applications in 15 categories, which range from munitions and rockets to urban planning and sensors. Some observers believe that the TAL is not sufficiently selective to be of real use and increases the likelihood that consular offices will seek Visa Mantis reviews that are not needed. The TAL is so broad that it includes nearly every possible associated technology or skill involving chemistry, biochemistry, immunology, chemical engineering and pharmacology to name a few.

Personal Interviews

Third, in August 2003, the State Department issued a new policy, requiring virtually all visa applicants to be interviewed in person by a consular officer. The requirement can only be waived

for a person who is either very young or very old. Limited exceptions also exist for diplomatic or official visas and those in the national interest. No additional funds were provided to consulates to meet this additional workload. Delays in scheduling interviews have, in some cases, made it impossible for a student to enroll.

SEVIS

Finally, to improve the tracking of foreign students and scholars, Congress created the Student and Exchange Visitor Information System (SEVIS), a computerized database of foreign students in the U.S., which was fully implemented in August 2003. Institutions of higher education must input information on their foreign students into the system and must keep such information as a student's address and educational status up-to-date. SEVIS replaced a paper-based system, which was widely criticized as antiquated and inadequate. Initially, the system was plagued with technical flaws. The system sometimes lost, changed or misplaced data. Universities report that the system is improving, but continues to have technical glitches that may complicate a foreign student's ability to enter the U.S.

What impact have the new rules had on the U.S. scientific enterprise?

There are some early indications that the new visa rules are discouraging foreign students from coming to the U.S., and there are numerous anecdotes of students and researchers needlessly running afoul of the new rules, with damage to their research as a result.

According to a recent report by the Institute of International Education, the number of foreign students enrolled in American colleges and universities rose by 0.6 percent in 2002, the smallest growth since 1996. In each of the previous two academic years, foreign student enrollment increased by 6.4 percent. In a 2003 survey of 320 U.S. university officials by the Association of International Education (a different group from the Institute), 94 percent of respondents said they believed that foreign student enrollment was declining because the students felt that U.S. visas were too difficult to get. The drop is coming as other nations are competing more aggressively for students from outside their borders. In the 2003 survey, 45 percent of the university officials said that increased marketing efforts by other countries or relaxation of other countries' visa regulations had contributed to the drop off in foreign students.

Typical of the anecdotes was a case in which a graduate student briefly returned to China after working at the Johns Hopkins Medical School for two years. When he attempted to return to the U.S. he was delayed and his diabetes research was compromised.

How much information do we have on how the new system is working?

Data on how the visa system is working is extremely difficult to obtain. The State Department keeps very few statistics related to visas for scientists and engineers. Also, some information is inherently difficult to obtain, such as information on how many individuals decided not to apply for a visa because of the new regulations.

Broad data can be pieced together. Based on an analysis of State Department data, GAO determined that in fiscal year 2003, the State Department issued 235,579 student visas (for students in all fields and at all levels of study) and 283,660 exchange visitor visas. In that same period, the State Department rejected 128,660 applicants for student visas (for any reason) and 54,614 applicants for exchange visitor visas. No further breakdowns of those data are available.

For example, the State Department has no data on the number of science student and scholar visa applicants who undergo a Visas Mantis check or on how long it took to conduct Visa Mantis checks.

What did the GAO examination of the system find?

Because of the lack of data, the Science Committee turned to GAO to get some sense of how the visa system has been working. The study focused on implementation rather than policy. Last March, Science Committee Chairman Boehlert and then-Ranking Member Hall sent a letter to GAO (Appendix II), asking GAO to determine how long it took a science student or scholar from another country to obtain a visa. The request also asked GAO to identify the factors that contributed to visa delays and to review the measures underway to improve the visa process.

Findings

GAO reviewed the State Department's visa-related data systems and determined they could not track science applicants within student (F) and exchange visitor (J) visa categories. As a result, they were unable determine the length of time to adjudicate visas for science students or scholars. However, GAO did find that visa adjudication time is largely dependent on whether applicants were subject to Visas Mantis reviews. GAO then sampled Visas Mantis cases involving science students and scholars and determined the following:

- It took an average of 67 days to adjudicate Visas Mantis requests (from the time American consular office received the visa application to the time the Department of State notifies the office of the results of the review).

- Personal interviews with consular officers also contributed to visa delays (generally taking two to three weeks at American consulates in China, India and Russia).

- Many consular staff were concerned that they were contributing to the wait because they lacked clear guidance on when to seek Visas Mantis checks and on whether the checks provided enough background information.

In response to the GAO findings, the Department of State and the FBI reported that they have several measures underway to improve the visa process. To improve transparency, both agencies have set up public inquiry desks to answer questions about the status of pending visa applications. To reduce the time it takes to process Visas Mantis cases, the agencies indicated that they are working together on a case-by-case basis to identify and resolve Visas Mantis cases that have been outstanding for several months to a year (estimated at nearly 1,000 cases). In addition, the State Department has invested $1 million to upgrade its technology for transmitting Visas Mantis requests, though the implementation timetable and other details associated with this technology remain unclear.

Recommendations

The GAO report recommended that the Secretary of State, in coordination with the FBI Director, and the Secretary of Homeland Security, develop and implement a plan to improve the Visas Mantis process. In developing this plan, GAO urged the Secretary to consider actions to: 1) establish milestones to reduce the current number of pending Visas Mantis cases; 2) develop performance goals and measurements for processing Visas Mantis checks; 3) provide additional information, through training or other means at consular posts, to clarify guidance on the overall operation of the Visas Mantis program, including when Mantis clearances are required, what information consular posts should submit to enable the clearance process to proceed as efficiently

as possible, and how long the process takes; and 4) work to achieve interoperable systems and expedite transmittal of data between agencies.

What are the other main problems and issues facing the visa system right now?

There are a number of issues beyond those discussed above:

IPASS

In May 2002, the White House announced that an interagency committee would be set up to review the visa applications of individuals intending to come to the U.S. as graduate students, post-doctoral fellows, or researchers in "sensitive" fields to do work "uniquely available" on U.S. campuses. The committee was dubbed the Interagency Panel on Advanced Science Security (IPASS) and was to include representatives of the White House Office of Science and Technology Policy (OSTP), DHS, the State Department and other relevant agencies. Initially, OSTP was heading up the efforts to create IPASS, but that task moved to DHS once that Department was created.

DHS is still putting together IPASS. It remains unclear exactly who will be on IPASS, how it will function, and what visa applications it will review. The initial impetus for IPASS was to ensure that federal officials with scientific expertise would have a role in reviewing visas, in part, to prevent foreign scientists from being turned away needlessly. But now, some in the scientific community are concerned that IPASS could add another level of screening and delay to an already burdensome process.

Visa Waiver

The Enhanced Border Security Act of 2001 called for 27 countries whose citizens do not require a visa to enter the U.S. (such as Canada, Germany, Britain and New Zealand) to issue passports with biometric data for all citizens who travel to the U.S. Under the law, if one of those countries does not issue such passports by October 26, 2004, then the U.S. will begin requiring visas for that country. So far, only two nations seem likely to meet the deadline. That could mean that the State Department may need to begin processing as many as 5 million more visa applications annually. That could easily overwhelm the resources of the visa system.

US VISIT

The Border Security Act of 2002 requires all U.S. ports of entry to have equipment and software installed that will allow biometric comparison and the authentication of all visas and other travel and entry documents by October 26, 2004. Named the U.S. Visitor and Immigrant Status Indicator Technology (U.S. VISIT) Program by DHS, the system is designed to secure the border and track visa overstays. U.S. VISIT is going to be implemented in phases over the next several years. The first phase has been deployed at 115 airports and 14 seaports. Foreign visitors who require a visa to travel to the U.S., including those in this country on student or exchange visitor visas, will have their travel documents scanned, fingerprints and photos taken, and identification checked against terrorist watch lists. They system replaces the current National Security Entry-Exit Registration System and will be integrated with SEVIS. Some are concerned that the system will not be prepared to handle its first mass influx of students this fall, which could result in delays in entry into the U.S.

SEVIS

Although SEVIS continues to improve, a fully functioning system appears to still be a few years away. In addition, in October 2003, the State Department issued a proposed rule to implement the

Congressional requirement that the SEVIS system be funded by visa applicants. Universities have a number of concerns about the proposal.

Under the proposed rule, individuals interested in obtaining a visa would have to pay a $100 fee before they are eligible to get a visa application. The fee must be remitted either by credit card or with a check or money order in dollars drawn on a U.S. bank. Universities are concerned that the fee may be too high, that it must be paid even by applicants who do not end up enrolling in a U.S. institution (and only such students get recorded in SEVIS), and that it will create a system of paper receipts that could further slow down the electronic SEVIS system.

5. Questions for Witnesses

Under Secretary Hutchinson (DHS)

- When establishing visa policy, how do you balance the potential threat of terrorism posed by visiting students and scholars and the benefits to the U.S. of welcoming visiting scholars to participate in our scientific enterprise?

- Is it possible to design a system that will weed out potential terrorists without discouraging the world's best scientists and brightest students from visiting the U.S. and contributing to our knowledge base?

- How does the Department of Homeland Security work with State Department consular officers to help them determine which would-be visiting scholars pose a potential security threat?

- An effective tracking system is an essential tool in reducing the threat of terrorism, yet at a March 2003 Science Committee hearing, one witness testified that the Student and Exchange Visitor Information System (SEVIS) was deployed before it was fully operational, leading to numerous glitches and breaches of confidentiality. What is the current status of SEVIS? What steps has the Department of Homeland Security taken to address problems that were identified last year?

- Is the SEVIS fee a processing fee or a tracking fee? What is the status of the SEVIS fee? How will it be collected and why is that agency best suited for the job? What impact will this method of collection have on foreign students and scholars seeking entry to the U.S.?

- In remarks to the American Association of Universities, Secretary Ridge characterized the Interagency Panel on Advance Science and Security (IPASS) as "one of the greatest solutions" in dealing with the problems of foreign students and scientists. What is the status of IPASS? How will it work? When will it be operational?

Mr. Garrity (FBI)

- How are Visas Mantis requests currently transmitted from the State Department to the FBI and from the FBI to the State Department?

- What is your internal process for tracking a Visas Mantis case? How often is that information available electronically? And how often must that file be located physically? What are your plans to fully automate this process? Have there been cases where a file has not been located and the applicant is still pending a response?

- What priority do Visas Mantis investigations have among other FBI work? How do you think these waits impact your ability, and the ability of other law enforcement agencies, to identify and capture a terrorist as opposed to simply preventing him or her from entering the country at that particular post?

- What steps are you taking to make FBI's systems interoperable with the State Department, which recently invested about $1 million to upgrade its technology for transmitting Visas Mantis requests? Until systems are interoperable, how will information be transmitted and what impact will it have on processing time?

- How satisfied are you about the appropriateness of the cases referred for additional review under Mantis? Are consular officers providing agents with enough information and the right type of information in their requests?

- What steps have you taken to improve the visa application vetting process? In light of the fact that there have been lengthy waits and there are still Mantis cases that have been pending more than 60 days, what measures do you have underway that will identify and resolve these cases?

Ms. Jacobs (State)

- In managing the visa application process, the consular corps, and their functions, how does the State Department balance the potential threat of terrorism posed by visiting students and scholars and the benefits to the U.S. of welcoming visiting scholars to participate in our scientific enterprise?

- In your view, is it possible to design a system that will weed out potential terrorists without discouraging the world's best scientists and brightest students from visiting the U.S. and contributing to our knowledge base?

- What guidance do you provide to consular staff on the Visas Mantis process? Do you provide guidance on when to apply Visas Mantis? How do consular officers know if they are applying the checks appropriately?

- What steps has the State Department taken to improve the visa process during the last year? In light of the fact that there are still Mantis cases that have been pending more than 60 days, what measures do you have underway that will identify and resolve these cases? How do you propose to better track these cases in the future?

- How—and how often—are the results of name checks for Visas Mantis cases provided to the State Department? Why do you think it took the State Department two weeks or longer to inform a post that it could issue a visa?

- What impact have new requirements, such as the personal appearance requirement, had on the length of time it takes to adjudicate a visa? What impact has your request to give priority consideration to students and exchange visitors been accommodated at various posts and how has this impacted staffing? What impact will the implementation of new biometrics requirements in October 2004 have on the length of time to adjudicate a visa?

Appendix I – Visa Adjudication Process

1. The process begins when an applicant schedules a visa interview at an American consulate abroad.

2. After receiving an interview time, the applicant goes to the post, where the visa application is reviewed by the consular officer and the applicant's name is checked against the Department of State's automated system of law enforcement watch lists (also known as CLASS).

3. The consular officer reviews the data and conducts a personal interview.

4. If the consular officer determines that the applicant is eligible for nonimmigrant status under the INA[1], the applicant moves to the next step in the process. If the applicant is not eligible for nonimmigrant status, the visa application is denied.

5. After establishing the applicant's nonimmigrant status, the consular officer determines if there is any reason the applicant might be ineligible to receive a visa. After looking to see if the applicant's field or area of study falls under the Technology Alert List (TAL), a consular officer may use his or her discretion to request a security advisory opinion (in the case of TAL, or sensitive technology concerns, this request is known as Visas Mantis).

6. If the consular officer does not request a security advisory opinion, he or she makes a decision to issue or deny a visa to an applicant. If the consular officer requests the security advisory opinion, he or she sends a Visas Mantis cable to State Department headquarters in Washington, DC.

7. The State Department's Consular Affairs sends the cable to the Nonproliferation Bureau, the Federal Bureau of Investigation and other federal agencies.

8. These agencies conduct an investigation and return with their findings to Consular Affairs.

9. Consular Affairs summarizes the findings and returns the prepared security advisory opinion, which indicates whether or not they have an objection to the visa, to posts.

10. Using the security advisory opinion, the consular officer issues or denies the visa to the applicant.

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[1] The term nonimmigrant generally refers to a foreign national seeking to enter the U.S. temporarily for one of the specified purposes allowed under the Immigration and Nationality Act (INA). The most common reason for denial of a visa is that the applicant intends to come to the U.S. and remain. Section 214(b) of the INA presumes that every alien is an immigrant until he or she establishes that he or she is eligible to nonimmigrant status under the INA. Often, this means establishing, in addition to other criteria, that he alien has sufficient social or economic ties to compel him or her to return home after visiting the U.S.

Appendix II – GAO Request

The Honorable David M. Walker
Comptroller General of the United States

Dear Comptroller General Walker:

Each year, thousands of international scholars and students participate in education and exchange programs at U.S. universities and institutions. Their research is important to achieving technological advancements that serve U.S. and global interests. Furthermore, it brings together the U.S. and international communities, promoting dialogue and teamwork that is useful for our overall science and foreign policy goals. While the Committee wants to facilitate this type of exchange, we are well aware of the need to balance that effort with those to screen out visa applicants who pose a threat to our country.

We have received information that the research and study plans of some scientific scholars and students from abroad have been derailed because their visa applications were denied or the adjudication process took too long. The Committee believes that it is in our national interest for these visa decisions to be made as quickly as possible, consistent with immigration law and homeland security concerns. For that reason, we would like to obtain a fuller understanding of the visa backlog issue and its magnitude.

We read with interest your report entitled *BORDER SECURITY: Visa Process Should Be Strengthened as an Antiterrorism Tool.* In particular, we were interested in the report's discussion of the Visas Condor program and the delays and problems identified in the special visa checks initiated after September 11, 2001.

We believe that a similar assessment of the visa process as it pertains to foreign scientific scholars and students (particularly for F-1 and J-1 visas) would be very useful to the Committee and our oversight agenda. In carrying out this investigation, we suggest that you consider (1) results of visa adjudication, including denial rates, visa backlogs, and duration of visa reviews, (2) operation of the Visas Mantis program, (3) visa policies and procedures concerning applicants who will engage in research or studies involving potentially sensitive technologies, (4) existing exchange programs and bilateral protocols guiding scientific exchanges, and (5) the impact of actions taken since September 11 to strengthen and improve visa policies and procedures.

In addition, because many seeking entry to the United States for scientific research and studies are citizens of China (mainland and Taiwan), India and Russia, we ask that you determine what other factors may be affecting the processing of visas in these countries, including adequacy of trained staff at post, level of scrutiny over applications, and special security or other concerns.

Based on your analysis, we would appreciate your thoughts on potential improvements that can be made. As you develop your work scope, please contact Kara Haas at 225-8115 to discuss study alternatives and timing.

Thank you for the kind consideration of this request. We look forward to your findings.

Sincerely,

Sherwood Boehlert
Chairman

Ralph Hall
Ranking Member

Appendix III – Request for Written Testimony from Dr. Marburger

John H. Marburger, III, Ph.D.
Director
Office of Science and Technology Policy
Executive Office of the President
Washington, DC 20502

Dear Dr. Marburger:

I understand that you will be unable to attend the Science Committee's February 25 hearing on the impact of new visa regulations on the ability of foreign students and scholars to enroll in education and engage in research in the U.S. Your perspective on this issue is important, however, and I would appreciate it if you could provide written answers to the following questions by February 20, 2004.

1. The Office of Science and Technology Policy (OSTP), together with the Office of Homeland Security, established an interagency working group to implement the requirements of Homeland Security Presidential Directive 2, which called on the federal government to prohibit certain international students from receiving education and training in sensitive areas. In May 2002, based on the recommendations of the working group, the White House unveiled its plan to create an Interagency Panel on Advanced Science Security (IPASS) to provide increased scrutiny for student or exchange visitor applicants who hoped to study or conduct research in certain sensitive science and technology fields. What is the status of IPASS? When will IPASS be operational?

2. What role does OSTP currently have in IPASS?

3. When you appeared before the Science Committee in October 2002, you indicated that those responsible for the enhanced review of sensitive science and technology under IPASS would be drawn from the Department of State, the Immigration and Naturalization Service (U.S. Citizenship and Immigration Bureau, Department of Homeland Security), intelligence and law enforcement agencies, and federal science and technology agencies. What role have you—or the federal science and technology agencies under your purview—had in the review of the visa applications of science students and scholars? Does this structure meaningfully enhance homeland security or stem the proliferation of sensitive science and technology without the case-by-case review by scientific experts envisioned by IPASS? Absent IPASS, how can we embed technical expertise in the visa process?

4. In what way is your Office monitoring the extent to which security procedures are hampering the entry of scientists and engineers to the United States? Have you pressed for additional data collection so that policymakers can get a clearer picture of the impact of the security regime?

Thank you for addressing these issues. It is my hope that this hearing will encourage greater cooperation among the various agencies involved in the visa process—and provide greater appreciation for the impact of visa delays on students, scientists, universities and research facilities.

Sincerely,

SHERWOOD BOEHLERT
Chairman